

**AGENDA MEMO**

**CITY COUNCIL MEETING OF: JULY 1, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: RQR-33798 - APPLICANT/OWNER: MINI MASTERS, INC.**

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**\*\* CONDITIONS \*\***

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**Planning and Development**

1. This Special Use Permit shall be reviewed in five (5) years at which time the City Council may require the Off-Premise Sign (Billboard) to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign (Billboard) is removed.
2. The Off-Premise Sign (Billboard) and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign (Billboard).
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.
4. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Sign (Billboard) shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
5. The metal screening material that covers the exposed portions of the offset billboard panels shall be refinished and painted to match the remaining supporting structure material.
6. All City Code requirements and design standards of all City Departments shall be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This application is in response to a Required Review of an approved Special Use Permit (U-0075-96) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 6900 West Craig Road.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc and Property Sales</i></b>	
11/15/89	The City Council denied a request to Rezone (Z-0103-89) property from N-U (Non-Urban) to C-1 (Limited Commercial) for a proposed Mini-Storage Facility at 6900 West Craig Road. The Planning Commission recommended approval of the request.
07/17/91	The City Council approved a request to Rezone (Z-0081-90) property from N-U (Non-Urban) to C-1 (Limited Commercial) for a proposed Mini-Storage Facility at 6900 West Craig Road. The Planning Commission recommended approval of the request.
12/18/91	The City Council granted an appeal of the Board of Zoning Adjustment denial of a Variance (V-0142-91) to allow truck rentals at 6900 West Craig Road.
09/18/96	The City Council approved a Special Use Permit (U-0075-96) for a 14-foot by 48-foot off-premise advertising (billboard) sign at 6900 West Craig Road. The Board of Zoning Adjustment recommended approval of the request.
11/07/01	The City Council approved the Required Five Year Review on an approved Special Use Permit [U-0075-96(1)] for a 14-foot by 48-foot off-premise advertising (billboard) sign at 6900 West Craig Road. The Board of Zoning Adjustment recommended approval of the request.
12/02/08	The Planning and Development Department administratively approved Site Development Plan Review (SDR-32181) which allowed the conversion of an existing 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) to a one-sided (facing north) digital display (LED panel) at 6900 West Craig Road.
05/28/09	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #6/jb).
<b><i>Related Building Permits/Business Licenses</i></b>	
10/15/97	A building permit (#97020984) was issued for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) sign at 6900 West Craig Road. A 225 Final Sign Inspection was completed on 05/15/98.
12/30/08	A building permit (#130509) was issued for the conversion of an existing 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) sign from static to LED at 6900 West Craig Road. This permit has not been finalized.

02/23/09	A building permit (#133835) was issued for a 400 amp panel for a digital sign at 6900 West Craig Road. This permit has not been finalized.
<b>Pre-Application Meeting</b>	
A pre-application meeting was not required, nor was one held.	
<b>Neighborhood Meeting</b>	
A neighborhood meeting was not required, nor was one held.	

<b>Field Check</b>	
04/21/09	A field check was performed by staff with the following observations: <ul style="list-style-type: none"> <li>• Sign is arranged so that each panel is offset in regards to height and screening.</li> <li>• The materials used to screen the exposed structure of the opposing panels are rusted and in need of refinishing.</li> </ul>

<b>Details of Application Request</b>	
<b>Site Area</b>	
Gross Acres	1.18

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Mini-Storage Facility	SC (Service Commercial)	C-1 (Limited Commercial)
North	Mini-Storage Facility	SC (Service Commercial)	C-1 (Limited Commercial)
South	Multi-Family Residences	M (Medium Density Residential)	R-CL (Single Family Compact-Lot)
East	Undeveloped	SC (Service Commercial)	U(Undeveloped) [SC (Service Commercial) General Plan designation] Under Resolution of Intent to C-1 (Limited Commercial)
West	R.O.W. (US-95)	R.O.W. (US-95)	R.O.W. (US-95)

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>		X	NA
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>	X		Y
A-O (Airport Overlay) District – 175 Feet	X		Y
<b>Trails</b>		X	NA
<b>Rural Preservation Overlay District</b>		X	NA
<b>Development Impact Notification Assessment</b>		X	NA
<b>Project of Regional Significance</b>		X	NA

## DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising Sign (Billboard) may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	Sign is not in right-of-way and is exempt from the Off-Premise Sign Exclusionary Zone requirements because it is within 660 feet of the right-of-way line, and oriented toward U.S. Highway 95	Y
Zoning	Off-Premise (Billboard) Signs are permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only.	Sign is in C-1 (Limited Commercial) Zoning District	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Sign is 672 square feet with north facing digital display (LED panel)	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to maximum of 55 feet with approval of City Council if significantly obscured from view of travel lanes.	The sign is 40 feet tall	Y
Screening	All structural elements of an Off-Premise (Billboard) Sign to which the display panels are attached shall be screened from view.	The electrical equipment used to power the electronic digital display is not screened from view at the base of the sign.	N

Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign oriented to US-95, or 300 feet to any other Off-Premise Sign.	There are no Off-Premise Signs (Billboards) within 750 feet and oriented to US-95. The nearest Off-Premise Sign is located 319 feet to the southeast and is oriented toward Craig Road.	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	There are no "R" zoned districts within 300 feet of the subject Off-Premise Sign (Billboard)	Y
Other	All Off-premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	The billboard is permanently secured to the ground on C-1 zoned property.	Y

## ANALYSIS

The Off-Premise Sign (Billboard) is not within the Off-Premise Sign Exclusionary Zone per Title 19.14.100 because it is within 660 feet of the right-of-way line, and oriented toward U.S. Highway 95. Upon a field inspection carried out by staff on 04/23/09, it was discovered that the existing billboard in review will require the structural screening for the electrical equipment which powers the Digital Display.

## FINDINGS

The sign is located in a C-1 (Limited Commercial) zoning district and is not within the Off-Premise Sign Exclusionary zone. Since the area surrounding the sign has not experienced any significant development or land use changes, staff recommends approval of this review, subject to a required review in five years.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT**      37

**SENATE DISTRICT**      4

**NOTICES MAILED**      199 by City Clerk

**APPROVALS**      0

**PROTESTS**      2